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Winter **2009** Edition 18

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Winter 2009, Edition 18

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It is the mission of the Kentucky Board of Nursing (KBN) to protect public health and welfare by development and enforcement of state laws governing the safe practice of nursing.

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Statistics Corner

As of November 24, 2008, KBN records show:

RN Active	51,887
LPN Active	13,777
RN Retired	1,209
LPN Retired	617
Advanced Registered Nurse Practitioners	3,367
Sexual Assault Nurse Examiners	196
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PRESIDENT'S MESSAGE

The lead time for writing articles for the KBN Connection is quite long, therefore I am writing this prior to the upcoming elections of November 4. Because of the campaigning, political ads and other recent exposure, I am reminded of the importance of nurses to become active in what occurs with the election process. So many social and other issues that affect health and the health care system as a whole are sometimes decided by a very few individuals that are active in those issues. I'm sure I don't have to remind you all about the state of the economy and the removal of a large sum of money from the KBN account to help balance the state's budgets.

I encourage all of us to become advocates for the profession and to promote the health and well being of the citizens of the Commonwealth. You can do this by calling or writing your elected officials and voicing your concerns about the issues that affect the profession. Franklin D. Roosevelt said in 1933 during his first Inaugural Address, "*We have nothing to fear but fear itself.*" I would update that to, "*We have no one to blame but us ourselves.*" If we don't become involved with the decisions and the decision makers, someone else will make our decisions for us and we cannot complain and blame others for the results.

On a different note, I want to welcome our newest member to the Board. Mr. Jamie Daniels, LPN was recently appointed by the Governor for a 4-year term serving as a LPN member. Mr. Daniels lives in Hustonville, graduated from Casey County High School and obtained his Practical Nursing training from Bluegrass Community & Technical College. He currently works as a charge nurse at Golden Living Center in Sanford, KY. Jamie will be sworn in as a Board Member as soon as his orientation is complete and will be joining the full Board at that time, completing the unexpired term of a previous Board Member through June 2011. Welcome, Jamie.

Jimmy T. Isenberg, Ph.D., RN

Darlene Chilton, Long Time KBN Employee, Retires

Members and staff of the Kentucky Board of Nursing (KBN) bid a fond farewell to Darlene Chilton, who retired in September 2008 after 23 years of service to KBN and the Commonwealth of Kentucky. Darlene served as the webmaster for KBN's website (kbn.ky.gov) and also edited the *KBNursing Connection*. As webmaster she played a significant role in creating and maintaining an outstanding website that is recognized for excellence by individuals in Kentucky and across the nation, while her editorial skills helped make the *KBNursing Connection* a journal that is continually responsive to KBN stakeholders. Most notably, however, Darlene was known to nurses across the Commonwealth for her ongoing commitment to customer service. Her calm and assured assistance to those needing help in navigating the KBN website or renewing a license never wavered and became a benchmark of KBN's positive response to constituents. We at KBN wish Darlene every happiness as she enters retirement.



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EXECUTIVE DIRECTOR'S MESSAGE

"No sensible decision can be made any longer without taking into account not only the world as it is, but the world as it will be. . ." ~ Isaac Asimov

The major role for members of the Kentucky Board of Nursing is to make the best decisions possible with regard to all areas under its jurisdiction.

These areas include issuing a practice advisory opinion, recognizing an education program, deciding if certain clinical practices are within the scope of practice for a registered or licensed practical nurse or determining if a nurse's actions are in violation of the *Kentucky Nursing Laws*. These decisions impact the practice of thousands of nurses and the care of even greater numbers of patients and their families. Further, KBN decisions can serve as a foundation or precedent for judgments over a number of years. The gravity of this decision making responsibility requires that Board members have the best information and strongest possible support for their deliberations. While Board members are experts in their practice, teaching or advocacy roles, this expertise cannot be the only basis for Board actions. Sound, effective decisions are not built solely on personal experience, beliefs or isolated anecdotes. In fact, limiting decisions to the knowledge that we have in our own individual universe generally leads to a narrow point of view that fails to address the world as it now exists and fails also to provide a framework or standard for the world as it is likely to become. Rather, Board members recognize that the best decisions are derived from a combination of systematically acquired knowledge, professional experience and the integration of information. This process of evidence-based decision making is the foundation for all KBN regulatory actions.

KBN's strong commitment to evidence-based decision making stems from its commitments to public safety and safe nursing practice. Examples of evidence used by Board members in their decision making include research from peer-reviewed journals, clinical standards, personal accounts from nurses and administrators in clinical practice, and any educational practices that may be pertinent. Decisions regarding educational programs are based on reports from

program administrators, site evaluations by Board staff and national education standards (e.g., programs holding national accreditation are not visited as frequently by board staff). Discipline decisions are based on standards of safe practice as well as extensive evidence compiled by specially trained and certified nurse-investigators.

KBN has a number of strategies for bringing such evidence into the decision making process. One example would be the process for evaluating whether or not a new clinical procedure is within the scope of nursing practice. When an individual contacts the Board asking for an opinion as to whether a procedure is within the scope of nursing practice, they will be asked for descriptions of the clinical activity, the science on which it is based and any research that may support a nurse carrying out the procedure. Staff may query all other boards of nursing for any current practices or regulatory history and will also research existing Board Advisory Opinions and decisions that might have bearing on the request. As a final step, staff will conduct a broad review of the literature to identify research and/or articles that may support or refute the procedure as a nursing practice. All background information is then compiled, and discussed with members of the KBN Practice Committee, who make a recommendation that, along with all evidence, goes on to the full Board for consideration and vote.

The informed decisions of the Kentucky Board of Nursing often change both practice and policy. They are also a demonstration of the partnership between nursing regulators, educators and clinicians in advancing the scope of practice when it is supported by knowledge and skills that are based on science. KBN is committed to working within this partnership to advance safe nursing practice.

Charlotte F. Beason, Ed.D., RN

IMPORTANT: Tramadol has been added to the list of Schedule IV controlled substance products in Kentucky. This regulation change was effective on December 5, 2008. At that time any prescriber without a valid DEA license cannot write or issue a prescription for Tramadol. In addition, any remaining refills on a Tramadol prescription issued by a prescriber without a valid DEA license may not be dispensed. All provisions of the *Kentucky Nursing Laws* regarding prescribing controlled substances should be followed.

Telephone Orders: How do You Know the Caller is for Real?

Article reprinted from *ISMP Medication Safety Alert! Nurse Advise-ERR* (July 2008, Volume 6, Issue 7), with permission by the Institute for Safe Medication Practices.

Mishearing a telephone order is a well-recognized problem with verbal orders. Less often considered is another potential risk: fraudulent telephone orders. Several reports about this serious problem are described below.

- A teenage hospital employee who wanted to be a doctor responded to pages to on-call surgical residents. As a part-time unit secretary, the teen had access to the hospital's computerized paging system and patient records and was able to forward physicians' pages to his own pager. He issued orders for six patients, including administration of heparin, oxygen therapy, and laboratory tests. When his activity was discovered, the hospital's chief of surgery admitted that the orders were medically "appropriate under the circumstances." Fortunately, the patients weren't harmed. Because the teen's voice and phone manner were appropriate and the orders were based on what the nurses told him, his actions didn't raise immediate suspicion.
- The friend of a patient suffering from AIDS called the hospital and gave a verbal order for insulin to help end his friend's life. Although the patient didn't have diabetes, the nurse carried out the order and the patient died.
- A fraudulent order was called in for an inappropriate dose of digoxin IV, but fortunately, it wasn't administered.

- More than a dozen patients at various New York City hospitals received soapsuds enemas prescribed via fraudulent telephone orders. A man claiming he was the attending physician called the orders in to the nursing units.

Telephone orders should be limited to emergency or urgent situations. If you must take telephone orders, be suspicious when you're unfamiliar with the practitioner's voice and manner. If you don't recognize the caller, request his or her telephone number, verify it in the medical staff directory, and call the prescriber back to take the order. You can also verify a cell phone number with the prescriber's office staff or answering service. Another identification method is asking for a doctor-specific number such as medical records dictation number, but you'd need a list of these numbers to verify the caller's identity. If the caller doesn't provide a telephone number or you can't verify it, ask the individual to call back to speak to a nursing supervisor.

About ISMP: The Institute for Safe Medication Practices (ISMP) is a 501(c)(3) nonprofit organization that works closely with healthcare practitioners and institutions, regulatory agencies, consumers, and professional organizations to provide education about medication errors and their prevention. ISMP represents more than 30 years of experience in helping healthcare practitioners keep patients safe, and continues to lead efforts to improve the medication use process.

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KBN SPOTLIGHT - Professional Support Branch

by Patricia Spurr, MSN, Ed.D., *Nursing Education Consultant*

The Professional Support Branch of the Kentucky Board of Nursing is responsible for overseeing a number of areas related to nursing practice and education. The branch reviews the programs of nursing, consults on practice issues and continued competency, oversees the Nursing Incentive Scholarship, and credentials Dialysis Technicians.

Sharon Mercer, MSN, RN serves as the Nursing Practice Consultant, assisted by Cheryl Skaggs. This dynamic two-some educates the agency and public by providing thoroughly researched, evidence-based responses to nursing practice inquiries. Sharon also serves as a resource to the agency and the public on the application of the Kentucky Nursing Laws. Further dealings with regulatory matters pertinent to nursing practice include researching, evaluating, and recommending statutes, administrative regulations, and guidelines for safe nursing practice. Sharon staffs several Board committees, councils and work-groups and represents the Board on various public committees. In addition, she is frequently requested to speak to the public about practice-related issues. On a monthly basis, the practice area of the Professional Support Branch responds to 175-200 practice-related questions via phone calls and written requests. A number of resources are available on our web page (<http://kbn.ky.gov/practice/>), including Advisory Opinion Statements issued by the Board.

Richelle Livers is responsible for reviewing, compiling and preparing operational records, reports and correspondence for the NISF (Nursing Incentive Scholarship Fund) and DT (Dialysis Technician) programs. NISF has been in existence since 1991. At that time, 58 scholarships were awarded for a total of \$88,050. In the last 15 years, over 2,000 scholarships have been awarded for a total of over \$4,700,000. Scholarship applications are accepted January 1 – June 1 of each year. The scholarship requires that the recipient must work full time as a nurse in

Kentucky for one year for each academic year funded. \$5 from each nursing renewal fee goes into a restricted fund for use in awarding scholarships. NISF has been in existence since 1991. At that time, 58 scholarships were awarded for a total of \$88,050. In the last 15 years, over 2,000 scholarships have been awarded for a total of over \$4,700,000. If chosen for an award, documentation of enrollment is obtained and distribution of funds is processed. Documentation of enrollment into the program of nursing is maintained until both the education and work obligation have been completed. In 2001, the Kentucky General Assembly passed House Bill 184 establishing authority for the Kentucky Board of Nursing to regulate Dialysis Technician practice, training, and credentialing. Richelle serves as the contact person for questions pertaining to credentialing and verification of the 956 Dialysis Technicians in the state of Kentucky. She also receives and processes all applications for new, renewing and reinstating credentials.

Since 1980, nurses within the Commonwealth have been required to maintain continued competency to practice by attending continuing education programs or utilizing other methods. Mary Stewart serves as the Continuing Competency Program Coordinator for the Board. She communicates with nurses, the general public, and KBN staff about all aspects of continuing education (CE) laws and regulations. Mary also participates in the planning and implementation of CE programs and activities.

At present, there are approximately 240 approved CE providers, both within and outside of Kentucky. Mary compiles and submits CE information that is included on the KBN web page at <http://kbn.ky.gov/ce/> and communicated to the Board via the Education Committee. If a nurse attends an educational activity that is not approved for nursing CE, he/she can submit an "Individual Review Application" to seek acceptance of the



activity for the appropriate number of contact hours.

The education area of the Professional Support Branch is staffed by Dr. Patricia Spurr, assisted by Lila Hicks. Every nurse can remember back to the excitement of starting nursing school, the apprehension of taking the licensure exam, and all the stress in between. In order to be eligible to take the licensing exam (NCLEX), a candidate must have graduated from a nursing program that is approved by a board of nursing. Through the provisions of the *Kentucky Nursing Laws* and applicable Kentucky administrative regulations, the Board prescribes standards for educational institutions offering programs preparing candidates for licensure as nurses. There are a total of 84 KBN-approved nursing program locations across the state (either free-standing programs or extensions of an existing program). This includes 13 Baccalaureate Nursing (BSN) programs, 37 Associate Degree Nursing (ADN) programs, and 34 Practical Nursing (PN) programs. With concern growing nationally about the nursing shortage, the programs of nursing within Kentucky have been increasing admissions to address the situation. Between 2000 and 2007, enrollments and numbers of graduates have increased in several areas:

Enrollments

- BSN programs up 57.5%
- ADN programs up 37.75%
- LPN programs up 34.9%

Graduates

- BSN graduates up 38%
- ADN graduates up 37%
- Overall RN graduate increase of 44%
- PN graduates up 35%



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Disciplinary Case Review by Ann Tino, RN, BSN, Certified Nurse Investigator, Consumer Protection Branch

Disclaimer: Although disciplinary action taken by KBN is a matter of public record, the identity of these nurses will not be revealed.

Nurse J was a registered nurse for a company that specializes in data collection and medical records review. Nurse J was a field reviewer and traveled to various physician offices to audit specific designated electronic patient records. During a scheduled visit, Nurse J not only reviewed his authorized assignment of medical records, but those of three (3) additional patients. This was identified by the medical records director during an audit of a report (unauthorized accounts viewed) which entailed the date of the unauthorized access, patient name, and length of time spent in each different area of the record. Coincidentally, one (1) of the patients had the same last name as Nurse J. Nurse J was reported to the Board for accessing patient records in an improper manner, not for work purposes, and in direct violation of Health Insurance Portability and Accountability Act (HIPAA). At the conclusion of the Board investigation, Nurse J's license was reprimanded; he agreed to pay a civil penalty of five hundred dollars (\$500) and obtain thirty (30) additional contact hours on HIPAA.

The term "confidentiality" is not used in the *Kentucky Nursing Laws*. However, the statutes require that a nurse's practice be consistent with nationally published nursing standards of practice. The *American Nurses Association Code of Ethics for Nurses*, Provision 3.2, directs that nurses have a duty to maintain confidential patient information. "The standard of nursing

practice and the nurse's responsibility to provide quality care require that relevant data be shared with those members of the health care team who have a need to know. Only information pertinent to a patient's treatment and welfare is disclosed, and only to those directly involved with the patient's care. Duties of confidentiality, however, are not absolute and may need to be modified in order to protect the patient, other innocent parties, and in circumstances of mandatory disclosure for public health reasons" (ANA 2001).

The Board has an Advisory Opinion Statement (AOS) related to the role of the nurse in maintaining confidentiality of patient information and it includes ANA's position on confidentiality. Opinion statements are issued as safe nursing practice guideposts for nurses. An opinion statement is not regulation and does not have the force and effect of law. The Board's AOS #34 advises that a nurse is obligated to protect confidential patient information unless required by law to disclose the information and seeks and releases confidential patient information only when there is a clear and substantial "need to know" basis. A "need to know" basis requires individuals to have information in order to render care or service to a patient, and then discloses confidential patient information to the patient's family members and others only as permitted by the patient.

Nurses can be liable if they breach confidentiality and fail to protect the privacy and security of a patient's health information, personal data and medical records. KRS 314.021(2) holds each nurse individually accountable for rendering safe, effective nursing care to patients and for judgments exercised



and action taken in the course of providing care. Any nurse whose behavior is inconsistent with the standard of practice by breaching patient confidentiality may be charged with violating KRS 314.091(d) as having "*negligently or willfully acted in a manner inconsistent with the practice of nursing.*"

As nurses, it is our professional responsibility to adhere to the minimum standard of practice and safeguard patients' confidentiality and privacy. It is our responsibility to be aware of the laws that govern our practice. A complete index of Advisory Opinion Statements issued by the Board can be found on our website. Remember, you worked hard for your license, working smarter will protect it. For a copy of the *Kentucky Nursing Laws*, you can go online to <http://www.kbn.ky.gov> or stop by the Board office and purchase a hard copy for \$2.00.

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What is the KARE for Nurses Program?

by Paula S. Schenk, MPh, RN,
KARE Program Manager

The Kentucky Alternative Recovery Effort (KARE) for Nurses program was developed and is offered by the Kentucky Board of Nursing (KBN). The purpose of KARE is to identify and assist nurses whose abilities to provide nursing care are compromised by dependency on drugs or alcohol so that they can return to competent and safe practice. The program recognizes that nurses are individuals who have dedicated their lives to helping others and are now in a need of help. KARE's foundation is that substance abuse is treatable and that the recovery and return to competent nursing practice is in the best interest of the nurse and public health. KARE believes that a nurse should not lose a job or license due to substance abuse and offers an opportunity for encouragement, treatment and recovery. The program emphasizes hope and is administered with compassion, confidentiality, concern and dignity for the nurse.

The Disease . . .

Many people believe that nurses are immune from addiction by virtue of their intelligence and education. In reality, exposure, easy availability, and familiarity with medications often lead predisposed health professionals to develop chemical dependency. Substance abuse is one of the major factors threatening safe nursing practice. Chemical dependency is a chronic, progressive illness characterized by the use of chemicals in spite of adverse consequences. This compulsive-use cycle may have periods where use is controlled, but it is normally followed by at least one episode of out-of-control use causing adverse consequences in one's life. Not recognizing or dealing with chemical dependency will exacerbate the problem. Often we are too engrossed in our own problems to be objective, and our individual efforts result in more stress that increases the severity of the situation. Left untreated, chemical dependency will not only risk your life, but the life and safety of patients.

There is a place to turn for help . . .

Nurses often buy into the myth that they should be able to handle their chemical dependency because they are health care providers. What may seem a tremendous burden to one person can become a lighter load when shared with someone else. The first step is to admit there is a problem. It isn't easy to admit to another person that we are having trouble handling our problems alone. It is a subject that we avoid discussing or confronting. Yet once we reach that first step, we can begin the process of regaining our life.

Services . . .

KARE develops individualized Program Agreements

based upon the unique circumstances of the nurse.

Monitoring can be facilitated in many ways, such as:

- Assisting with identification, assessment and referral to approved treatment providers.
- Monitoring participants' compliance during recovery and continued nursing practice.
- Providing education to nurses, employers and other groups about KARE.
- Providing encouragement and support to help ensure the participants are able to practice nursing in accordance with acceptable and prevailing standards of safe nursing care.

Confidentiality . . .

Requests for information and/or assistance are strictly confidential. All records of program participants are confidential. Participation in KARE is voluntary and will remain anonymous as long as the participant is compliant with the terms of the program agreement.

Eligibility . . .

A nurse may access KARE by self-referral, board referral, referral from another person or agency, such as an employer, coworker or family member. Admission to KARE is available to individuals who, at the time of application, meet the requirements listed below:

- RN or LPN, licensed in Kentucky or an applicant for a credential issued by KBN;
- Request participation in the program (regardless of whether referred by the Board, self, or another person);
- Admit, in writing, to being a chemically dependent individual;
- Have not been terminated from a similar program in this or any other state for noncompliance;
- Have attended an approved treatment provider;
- Obtain a chemical dependency assessment, which includes a complete physical and psychosocial evaluation performed by a licensed or certified medical or psychological specialist in the field of drug, alcohol, or other chemical dependency;
- Agree to the terms set forth in the agreement; and
- Agree not to be employed in any capacity in a patient care setting or one that requires licensure until approved to do so by the program staff.

Questions? KARE compliance forms are located at <http://kbn.ky.gov/kare.htm>. To obtain further information or to make a confidential referral, call 800-305-2042 and speak with Paula Schenk, KARE Director (Ext. 236 or PaulaS.Schenk@ky.gov) or Jill Cambron, KARE Coordinator (Ext. 289 or JillM.Cambron@ky.gov).

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HIGHLIGHTS OF BOARD ACTIONS

Kentucky Board of Nursing

Board Meeting Date Change

- Approved that the dates of the April 16 and 17, 2009 Board Meeting be changed to April 23 and 24, 2009.

Education Committee

Ashland Community and Technical College, Ashland —

Associate Degree Program:

- Accepted the focused visit report to the Associate Degree Program of Nursing, Ashland Community & Technical College, Ashland, due to the Letter of Warning.
- Agreed that the Associate Degree program of Ashland Community & Technical College, Ashland, has complied with all requirements of the Letter of Warning of February 15, 2008; agreed that the program be placed on Conditional approval status pending 2008 NCLEX results.

Ashland Community and Technical College, Ashland —

Practical Nursing Program:

- Accepted the final report from the Practical Nursing program of Ashland Community & Technical College, Ashland, in response to the site visit report of October 31-November 1, 2007.
- Directed that the program, during the next annual report cycle, submit an assessment with results for the current academic year (2008-2009).
- Directed that the program submit an interim report by January 15, 2009 regarding the effectiveness of utilizing work studies for clerical assistance along with other interventions that may have become available.

Bowling Green Technical College—Practical Nursing Program:

- Accepted the report of the site visit conducted prior to the admission of the first class of the Practical Nursing program extension of Bowling Green Technical College, Bowling Green Extension, Bowling Green.
- Directed that the program submit a progress report at the conclusion of the first semester/term documenting the implementation of the program as compared to the proposal and any revisions (report due January 15, 2009).
- Directed that the program notify the Education Consultant two months prior to the graduation of the first class to establish a site visit.

Brown Mackie College-Northern Kentucky, Ft. Mitchell—Practical Nursing Program:

- Accepted the follow-up response from the Practical Nursing program of Brown Mackie College-Northern Kentucky, Ft. Mitchell, to the site visit report of July 2007.
- Agreed the program has submitted evidence that requirements have been met or are in the growth stages.
- Agreed that no additional materials are required from the program at this time.
- Approved that the approval status of the Practical Nursing program of Brown Mackie College-Northern Kentucky, Ft. Mitchell, be moved from Conditional to Full.

Gateway Community and Technical College, Edgewood —

Associate Degree Nursing Program:

- Accepted the focused visit report to the Associate Degree program of Gateway Community & Technical College, Edgewood, due to the Letter of Warning.
- Agreed that the Associate Degree program of Gateway Community & Technical College, Edgewood, has complied with all requirements of the Letter of Warning of February 15, 2008; agreed that the program be retained on Conditional approval status pending 2008 NCLEX results.

Gail Wise, RN Board Member, recused herself from the discussion/vote.

Hazard Community & Technical College, Hazard—Associate Degree Program:

- Directed that there shall be written administrative policies for the pro-

gram which are in accord with those of the governing institution and available to the board for review. (201 KAR:20:260)

- Directed that the program shall provide a system of records and reports essential to the operation of the program of nursing. The system shall include records of program meetings. (201 KAR 20:260)
- Directed that the program shall conduct an assessment to validate that identified outcomes have been achieved and provide evidence of improvement based on an analysis of those results. (201 KAR 20:320)
- Directed that nurse faculty hired without prior teaching experience shall have a mentor assigned and an educational development plan implemented. (201 KAR 20:310)
- Directed that the nurse faculty shall document a minimum of two (2) years full-time or equivalent experience as a registered nurse within the immediate past five (5) years and shall maintain expertise appropriate to teaching responsibilities. (201 KAR 20:310)
- Directed that the faculty shall perform systematic and periodic evaluation of the total program that is meaningful and constructive to the advancement of the students and program, with focus on curriculum, teaching and learning methods, and students. (201 KAR 20:360)
- Directed that upon admission to the program of nursing, each student shall be advised in electronic or written format of policies pertaining to: approval status of program, fees and expenses associated with program, health requirements, student responsibilities, and student opportunities to participate in program governance and evaluation. (201 KAR 20:340)
- Directed that the program should develop a plan for emergency care during class or clinical time that shall be in writing and available to faculty and students. (201 KAR 20:340)
- Directed that the program shall ensure that students and nurse faculty have access to instruction on the use of the library resources. (201 KAR 20:350)
- Directed that the program should use technology to enhance student learning and ensure that such is appropriate for meeting the outcomes of the program. Students shall have access to and instruction in the use of the technology. (201 KAR 20:350)
- Directed that a system of acquisition and deletion of library resources shall exist that ensures currency and appropriateness of resources. (201 KAR 20:350)
- Accepted the focused visit report to the Associate Degree program of Hazard Community & Technical College, Hazard, due to the Letter of Warning.
- Directed that the program submit a response within four weeks of the October 24-25, 2008 Board meeting, to include a timeline for correction of each "Requirement to be Met" identified in this report (report due December 1, 2008).
- Directed that the program submit evidence that all requirements are met within six months of the required submission above, with a final report as to the resolution of each identified requirement (report due May 1, 2009).
- Agreed that the status of the Associate Degree program of Hazard Community & Technical College, Hazard, remain on Conditional approval status pending 2008 NCLEX results.

Henderson Community College, Henderson—Practical Nursing Program:

- Accepted the initial response from the Practical Nursing program of Henderson Community College to the site visit report of January 31, 2008.
- Directed that the final report providing evidence of the resolution of each recommendation be submitted by October 25, 2008.

Somerset Community College – Clinton Center, Albany — Practical Nursing Program:

- Accepted the initial response from the Practical Nursing program of Somerset Community College-Clinton Center, Albany to the site visit report of April 8, 2008.

- Directed that the final report providing evidence of the resolution of each requirement to be met be submitted by December 15, 2008.

Jefferson Community & Technical College, Louisville—Associate Degree Nursing Program:

- Accepted the initial response from the Associate Degree program of Jefferson Community & Technical College, Louisville, to the site visit report of March 25-27, 2008.
- Directed that the final report providing evidence of the resolution of each requirement be submitted by January 13, 2009.

Sonia Rudolph, RN Board Member, recused herself from the discussion/vote.

Kentucky State University, Frankfort—Associate Degree Program:

- Accepted the focused visit report to the Associate Degree program of Kentucky State University, Frankfort, due to the Letter of Warning.
- Agreed that the Associate Degree program of Kentucky State University, Frankfort, has complied with all requirements of the Letter of Warning of February 15, 2008; agreed that the program be placed on Conditional approval status pending 2008 NCLEX results.

Maysville Community & Technical College-Licking Valley, Cynthiana—Associate Degree Program:

- Accepted the report of the site visit conducted prior to the admission of the first class of the Associate Degree program of Maysville Community & Technical College-Licking Valley, Cynthiana.
- Directed that the program submit a progress report at the conclusion of the first semester/term documenting the implementation of the program as compared to the proposal and any revisions to include progress on the implementation of a policy manual for the faculty and assessment plan with goals/outcomes (report due January 15, 2009).
- Directed that the program submit a mentoring plan for each of the new faculty members by November 15, 2008.
- Directed that the program provide a date/plan for when a private office will be available for the Program Administrator (*201 KAR 20:350, Educational facilities and resources for prelicensure registered nurse and practical nurse programs*).
- Directed that the program notify the Education Consultant two months prior to the graduation of the first class to establish a site visit.

Maysville Community & Technical College-Licking Valley, Cynthiana—Practical Nursing Program:

- Accepted the initial response from the Practical Nursing Program of Maysville Community & Technical College-Licking Valley, Cynthiana, to the site visit report of April 10, 2008.
- Directed that the final report providing evidence of the resolution of each recommenda-

tion be submitted by December 15, 2008.

Maysville Community & Technical College, Mt. Sterling—Practical Nursing Program:

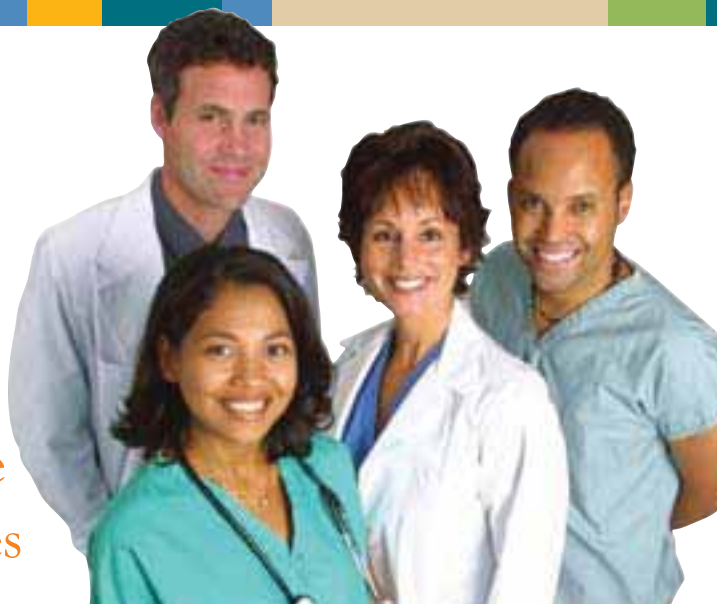
- Agreed that the location for the proposed Practical Nursing program of Maysville Community & Technical College in Mt. Sterling presently does not meet all requirements set forth in *201 KAR 20:350, Educational facilities and resources for prelicensure registered nurse and practical nurse programs*.
- Approved that acceptance of the location to enable students to begin classes is contingent upon the Education Consultant's report resulting from a site visit to the program scheduled for September 9, 2008.

- Directed that the program acquire nursing references that will be available on-site for students. The references shall be present at the time of the site visit along with a policy for how the program plans to maintain the currency of the resources; the program shall submit a plan to ensure that the students are oriented to the on-line library resources available to them.
- Directed that the program submit the following to the Education Consultant by December 1, 2008:

- 1) Documentation of the implementation of the program as compared to the approved proposal;

continued on next page >>>

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HIGHLIGHTS OF BOARD ACTIONS (CONTINUED)

- 2) A list of students admitted to the first class and their adherence to admission criteria;
- 3) A copy of the nursing and campus student handbooks;
- 4) Copies of each syllabus for the first semester/quarter;
- 5) A list of faculty and clinical instructors for the first academic year as assigned by course;
- 6) A summary of clinical agencies to be utilized for the first academic year by course;
- 7) Copies of signed clinical agreements;
- 8) A policy manual for the nursing program; and
- 9) A complete evaluation plan for the program.

Northern Kentucky University, Highland Heights—Baccalaureate Degree Program:

- Accepted the focused visit report to the Baccalaureate Degree program of Northern Kentucky University, Highland Heights, due to the Letter of Warning.
- Agreed that the Baccalaureate Degree program of Northern Kentucky University, Highland Heights, has complied with all requirements of the Letter of Warning of February 15, 2008; agreed that the program be retained on Conditional approval status pending 2008 NCLEX results.

Somerset Community College-Clinton Center, Albany—Practical Nursing Program:

- Accepted the initial response from the Practical Nursing Program of Somerset Community College-Clinton Center, Albany, to the site visit report of April 8, 2008.
- Directed that the final report providing evidence of the resolution of each recommendation be submitted by December 15, 2008.

Somerset Community College, Somerset—Practical Nursing Program:

- Accepted the site visit conducted prior to the admission of the first class of the Somerset Community & Technical College-Career Pathways (MNA to LPN), Somerset on August 12, 2008.
- Directed that the program submit a progress report at the conclusion of the first semester/term documenting the implementation of the program as compared to the proposal and any revisions to include an updated copy of the assessment plan and copies of the syllabi for the first and second semesters.
- Directed that the final report providing evidence of the resolution of each recommendation be submitted by January 15, 2009.
- Directed that the program alert the Education Consultant two months prior to the graduation of the first class to establish a site visit, or consult more frequently as needed.

Southeast Kentucky Community & Technical College—Practical Nursing Program:

Discontinuance of Hazard Community & Technical College's Whitesburg location, and assumption of this campus by Southeast Kentucky Community & Technical College:

- Approved that Hazard Community & Technical College will not be implementing the Practical Nursing Program at Whitesburg after this semester, and that Southeast Kentucky Community & Technical College's assumption of responsibility for a practical nursing program at this location be considered a change of ownership rather than a "new" program.
- Directed that the Education Consultant visit the program before this change is formally implemented in Spring 2009.

Southeast Kentucky Community & Technical College, Cumberland—Associate Degree Program:

- Accepted the focused visit report to the Associate Degree program of Southeast Kentucky Community & Technical College, Cumberland, due to the Letter of Warning.
- Agreed that the Associate Degree program of Southeast Kentucky Community & Technical College, Cumberland, has complied with all requirements of the Letter of Warning of February 15, 2008; agreed that the program be placed on Conditional approval status pending 2008 NCLEX results.

University of Louisville-Owensboro Extension, Owensboro—Baccalaureate Degree Program:

- Accepted the Letter of Intent by the University of Louisville to establish an online extension program in conjunction with Owensboro Medical Health System in Owensboro.
- Approved that the University of Louisville be permitted to proceed to the proposal stage.
- Directed that students not be admitted to the program of nursing until developmental approval has been granted by the Board.
- Directed that the University of Louisville-Owensboro consult with the Education Consultant to arrange a visit to both the site where the ITV (Interactive TV) will originate on the Louisville Health Science Campus and the site in Owensboro where students will be attending classes.

These programs with one (1) year of less than 85 percent pass rate on NCLEX have submitted their plan for improvement to the Board office:

- Baccalaureate Degree Programs:
 - o Berea College, Berea
 - o Kentucky Christian University, Grayson
 - o Spalding University, Louisville
 - o Thomas More College, Crestview Hills
- Associate Degree Programs
 - o Beckfield College, Florence
 - o Big Sandy Community & Technical College, Prestonsburg
 - o Galen College of Nursing, Louisville
 - o Jefferson Community & Technical College, Louisville
 - o Lincoln Memorial University, Corbin
 - o Midway College, Midway
 - o Morehead State University, Morehead
 - o Pikeville College, Pikeville
 - o Southeast Kentucky Community & Technical College, Cumberland
 - o St. Catharine College, St. Catharine
- Practical Nursing Programs
 - o Jefferson Community & Technical College, Carrollton

Practice Committee

- Approved the revisions to *201 KAR 20:400, Delegation of nursing tasks*.
- Approved the letter of response to Melissa Edlin, RN, regarding the scope of registered nursing practice in the use of an Anoscope during forensic examinations.
- Approved the revision of the advisory opinion that the administration of nitrous oxide is within the scope of registered nursing practice. Directed the staff to revise *Advisory Opinion Statement #32: Intravenous Administration of Medications for Sedation by Nurses* to include this information.

Consumer Protection Committee

- Approved the Consumer Protection Committee Scope and Functions.
- Approved the Consumer Protection Committee 2008-2009 Objectives.
- Approved the proposed revisions to the *Guidelines for Evaluation of a Minor Incident*.
- Approved the proposed revisions to *201 KAR 20:161*.

Unlicensed Assistive Personnel Task Force Committee

Karen Irwin reported on the Subcommittee on School Health Issues.

Follow-Up Report

A motion was made and seconded that the Children's Alliance Pilot Project Training Program be allowed to continue with the Kentucky Board of Nursing Practice Consultant observing the program and providing a report at the December 2008 board meeting. In addition, the Children's Alliance must complete a written report for the December 2008 board meeting.

Other Action

A motion was made and seconded that the four (4) education regulations be sent back to the Education Committee for revision and those revisions returned to the Board at a future date.

Disciplinary Actions

Approved thirty (30) Proposed Decisions as written, and received reports on the approval of thirty-six (36) Agreed Orders, sixty-two (62) Consent Decrees, and six (6) Removal of Licenses from Probation.

KBN Congratulates Carol Komara

Carol Komara, a professional nurse educator and a member of the Kentucky Board of Nursing was recently honored during the Centennial Celebration commemorating the Vanderbilt University School of Nursing. A group of 100 School of Nursing alumni and faculty were nominated and selected for the "100 Leaders: 100 Years" honor. Mrs. Komara, a Distinguished Alumna, was recognized for her leadership in developing creative clinical nursing education programs and for conducting, publishing, and mentoring nursing staff in clinical research during her tenure at the University of Kentucky Medical Center. She is currently participating in a nursing leadership seed grant from AONE at Central Baptist Hospital.



CAPTASA Conference January 23 and 24, 2009

The 9th Annual CAPTASA (Clinical Applications of the Principles in Treatment of Addictions and Substance Abuse) Conference is scheduled to be held on January 23-24, 2009 at the Embassy Suites, Lexington, KY. Conference topics will include:

- Detoxification
- Dual Diagnosis
- PTSD
- Geriatric Substance Abuse
- Alternatives in Pain Relief
- The Recovering Family
- Psychological Mechanisms Inherent in 12-Step Recovery

For additional information about the conference, accommodations, etc., please go to the CAPTASA website at www.captasa.org and click on the Calendar section. For registration information, please contact Sandy Patrick at (502) 425-7781 or sandy@captasa.org. Nursing continuing education contact hours will be awarded for attendance at the conference on each day.

Assistant Dean, Galen College of Nursing

This newly created position, which reports directly to the Dean, will provide leadership and support to the Practical Nursing and Registered Nursing Program Directors. Responsibilities include evaluating faculty performance; recruiting and mentoring faculty; facilitating the implementation of the curricula; developing strategies to ensure student success; analyzing and improving program outcomes; administering the academic policies and procedures of the Faculty, assisting the Dean with strategic planning; and leading special projects or initiatives as directed by the Dean. Master's degree in nursing required; doctorate preferred. Current nursing licensure in Kentucky also required, as well as teaching background in nursing education within the last five years, preferably in associate degree nursing and experience in administration, preferably in nursing education.

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Renewal Statistics

Total renewed from July 1 until end of renewal period (October 31, 2008):

RN: 46,340

LPN: 12,819

ARNP*: 2,904

* ARNP with a KY RN license

ARNP**: 203

** ARNP with a Compact RN license

SANE: 182

Frequently Asked Licensure Questions

Q. I lost my license or my license was stolen. How do I get another?

A. When a license is lost or stolen, you should:

1. Complete the Duplicate License Request form, available on the KBN web site at <http://kbn.ky.gov/formpub.htm>. Or, you may write a letter that includes:
 - Your name and address
 - Your license number and/or Social Security number
 - A clear statement of the reason you are requesting a duplicate license card
2. Attach a check or money order, payable to KBN, in the amount of \$35
3. Mail the request and the \$35 fee to:

Kentucky Board of Nursing
312 Whittington Parkway, Suite 300
Louisville, KY 40222

Within 21 days, a replacement card will be mailed to you.

Q. I recently had a name change. How do I change my name with KBN?

A. To change your name, you should:

1. Complete the Name Change form, available on the KBN web site at <http://kbn.ky.gov/formpub.htm>. Or, you may write a letter that MUST include:
 - Your prior name
 - Your new name
 - Your license number and/or Social Security number
 - Your address
 - A statement listing your primary state of residence
 - A statement of whether you do or do not practice ONLY in a military facility

The letter MUST include the listed information, or it will be returned to you for completion.

2. Attach a check or money order, payable to KBN, in the amount of \$35
3. Attach a copy of one of the following legal documents:
 - Marriage License
 - Divorce Decree (only the page showing the legal name change)
 - Other legal name change document
 - Social Security card
5. Attach your current, wallet-sized nursing license with your request
6. Mail the request, the attachments, and the \$35 fee to:

Kentucky Board of Nursing
312 Whittington Parkway, Suite 300
Louisville, KY 40222

Within 21 days, a replacement card will be mailed to you.

[continued on page 22 >>>](#)

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Current Openings

Currently we are seeking Registered Nurses in the following areas at [UK HealthCare Good Samaritan](#) with a variety of shift options including days, evenings and nights with some positions available on 7a or 7p offering a 3 day work week:

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- PERIOPERATIVE
- ADULT MEDICAL/SURGICAL
- ADULT TELEMETRY
- NEW STATE OF THE ART ADULT CRITICAL CARE UNIT
- ENDOSCOPY
- MENTAL HEALTH

We also have opportunities at [University of Kentucky Albert B. Chandler Hospital](#) which has been redesignated a Magnet Hospital in recognition of the outstanding nursing care at UK Chandler Hospital and Kentucky Children's Hospital. UK Chandler Hospital is the first in Lexington and the 38th among 6,000 hospitals in the nation to have earned this achievement.

To apply for positions at any of our locations, log on to www.uky.edu/HR/UKJobs



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UKHealthCare
Kentucky Children's Hospital

The University of Kentucky is an equal opportunity employer and encourages applications from minorities and women.

Q. How do I change my address?

- A. Kentucky nursing law requires an address to be changed with KBN within 30 days. To change your address, you should:
1. Go online to the KBN website, select "Online Services," and then select "Address/Email Change" OR
 2. Complete the Address/Email Change Form, available on the KBN website at <http://kbn.ky.gov/formpub.htm> OR
 3. Write a letter to KBN requesting the change. Include the following information:
 - Your name
 - Your new address
 - Your license number and/or Social Security number
 - A statement listing your primary state of residence
 - A statement noting whether you do or do not practice ONLY in a military facility

Q. I am not going to practice nursing for a while. Can I make my license inactive?

- A. KBN no longer has an "inactive status." Instead, you can let your license expire (lapse) by not renewing it. *It is a frequent misconception that an expired/lapsed license indicates disciplinary action and that a nurse would have to retake "State Boards" (today called NCLEX) before his/her license can be returned to an active status. Neither is true.* A lapsed license only indicates that a nurse, for whatever reason, chose not to renew a license, and a lapsed license may be reinstated at any time the nurse chooses to do so. The requirements to reinstate a license can be found on our web site by clicking on the blue box titled "Credentials and Licensure Information," and then the green box titled "Licensure by Reinstatement."

Q. Since my license card does not have an expiration date printed on it, how do I know when it expires?

- A. You and your employer should go to <http://kbn.ky.gov/online/srvs/bulkvalidation/> to verify the expiration date of your license. Using the Basic Validation service, enter your license number and then click on the "Validate" button. Employers wishing to verify the licenses of multiple nurses can use the Enhanced or Premium services for a fee. The KBN website is considered primary source verification.

Q. I received my first Kentucky nursing license this year, do I have to renew?

- A. The date the first Kentucky license is issued determines the expiration date. According to nursing regulation, a license issued on or after June 1 will not expire until the following year. For instance, a license issued on April 1, 2009 will expire on October 31, 2009, but a license issued on June 1, 2009 will not expire until October 31, 2010. You should always check the expiration date of your license at <https://secure.kentucky.gov/kbn/bulkvalidation/basic.aspx>.

Q. After completing the online renewal application, is my license renewed as soon as I click "Submit"?

- A. No. "Submitting" your electronic application is equivalent to dropping it in the mail. Your electronic application must be reviewed by KBN staff before your license will be renewed. KBN staff are available to review applications and renew licenses Monday through Friday, 8 a.m. - 4:30 p.m. If your application is submitted after close of business, you may not be renewed until the next business day. All applications received before midnight October 31 will be eligible for renewal. If your license is not renewed before midnight October 31, you cannot practice as a nurse in Kentucky until your license has been renewed.

Q. I will be moving to another compact state. Can I practice in that state on my Kentucky license?

- A. If your move is temporary, you may practice in any compact state on your Kentucky multistate license. If you change your primary residence to another compact state, you will have 30 days to obtain a license in that state. During those 30 days, you may practice in that compact state on your Kentucky license. More information on the Nurse Licensure Compact is available at <http://www.kbn.ky.gov/nlc.htm>.

Q. I am moving to another state and must provide a "Verification of Licensure." What does this mean and how do I do it?

- A. "Verification of Licensure" or "Verification of Original Licensure" are terms boards of nursing use to verify:
- that you have or had a license in a state
 - whether or not that state was your "original state of licensure" (issued your first nursing license)
 - the date and type of nurse licensure examination you passed (State Board Test Pool Exam or NCLEX)
 - if your license is current
 - and any disciplinary action
- Since Kentucky is a member of the Nurse Licensure Compact, all verifications of Kentucky licensure must be made from www.nursys.com.

Q. How do I retire my licensure status?

- A. All RN's and LPN's may apply online at <http://kbn.ky.gov/license/retired/> to retire a licensure status. There is a one-time processing fee of \$25. To return to an active licensure status, you would need to reinstate your license.

Migration to a Cardless Licensure Renewal System

On June 1, 2008, the Kentucky Board of Nursing began a migration toward a "cardless" licensure renewal system.

Initial and reinstated licenses issued on or after June 1, 2008 will contain the licensee's name, license number, licensure type (RN, LPN, ARNP, SANE), and original date of Kentucky licensure. Nurses who renewed in 2008 also received a license card that has no expiration date listed on the card.

Beginning with the 2009 renewal, license cards will be not issued to nurses who renew a license, ARNP registration or SANE credential.

Register to be a Volunteer in the Event of a Disaster

In a national or state emergency or disaster situation, your license will be validated by the Kentucky Department of Public Health (DPH) via KBN's secure web validation system. The on-going partnership of KBN and DPH assures that licensed nursing professionals can be mobilized by the Department of Public Health as the need arises.

A registry of names of licensed medical professionals is being compiled by DPH. The registry, named Kentucky Health Emergency Listing of Professionals for Surge program (K HELPS) is a pre-registration system that will allow public health officials to provide a way to quickly reach potential volunteers in the event of a state or federal disaster. After registering with K HELPS, a nurse would be assigned a Medical Reserve Corps (MRC) unit associated with the nurse's geographic location.

You may register for K HELPS on line at <https://khelps.chfs.ky.gov> (a web site maintained by the Cabinet for Health and Family Services). For more information on placing your name on the K HELPS list, go to <http://www.chfs.ky.gov/dph/epi/preparedness/KHELPS.htm> or contact Rebecca Gillis at 606-478-5455.

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Tramadol has been added to the list of Schedule IV controlled substance products in Kentucky

This regulation change was effective on December 5, 2008. At that time any prescriber without a valid DEA license cannot write or issue a prescription for Tramadol. In addition, any remaining refills on a Tramadol prescription issued by a prescriber without a valid DEA license may not be dispensed. All provisions of the Kentucky Nursing Laws regarding prescribing controlled substances should be followed.

Scope of Registered Nursing Practice of Sexual Assault Nurse Examiners in the Use of Anoscope During Forensic Examinations

In October 2008, it was the advisory opinion of the Board that it is within the scope of registered nursing practice of Sexual Assault Nurse Examiners who are educationally prepared and clinically competent to use an Anoscope during forensic examinations.

Scope of Registered Nursing Practice: Review of Previous Advisory Opinion on Administration of Nitrous Oxide

In October 2008, the Board approved the revision of a previous advisory opinion issued in 2004. It is the advisory opinion of the Board that the administration of Nitrous Oxide IS within the scope of registered nursing practice for the registered nurse who is educationally prepared and clinically competent.

**Nursing Leadership Program: An Overview of the Kentucky Nursing Laws and the Kentucky Board of Nursing****Seeking Sponsors/Hosts for 2009 & 2010**

The Board is seeking sponsors/host sites for presentation of its continuing education nursing laws and leadership programs for 2009 and 2010. The program (6.9 contact hours of continuing education) is designed for administrators, managers, and clinical staff, and has the following objectives:

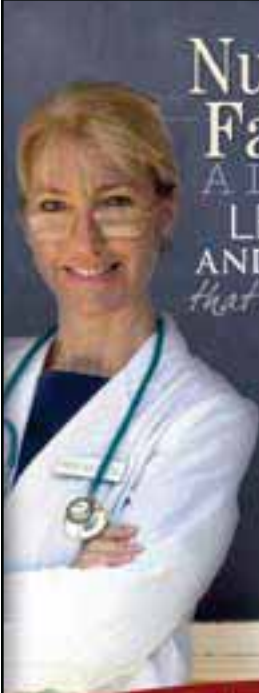
- Review the Kentucky Board of Nursing's role as a regulatory agency- its mission, programs and activities, including current legislation and new requirements.
- Examine the responsibility and accountability of nurses, nursing supervisors and administrators in relation to the *Kentucky Nursing Laws*, nursing practice, and current practice opinions, including Licensed Practical Nurse intravenous therapy scope of practice, and nurse delegation.
- Discuss the complaint and disciplinary processes including mandatory reporting, investigation and resolution of complaints with actual case scenarios.
- Describe the requirements of nurses on probation and your role as an employer/peer.
- Explain the Kentucky Alternative Recovery Effort (KARE) for Nurses Program and the incidence of chemical dependency in the nursing profession.
- Discuss the process of obtaining initial licensure by examination.

The goals of the Board in offering the program are multiple, and include, in part:

- Participating in interactive and educational discussions with nurses in the Commonwealth about the laws governing their licensure, regulation, education and practice.
- Providing programs which are geographically distributed throughout Kentucky and making the programs as available to nurses as possible.
- Planning for an approximate minimum number of 50 attendees.

The Board would like to develop a partnership with agencies or organizations to host this program in 2009 or 2010.

Should you wish to host a program, receive additional information or have questions, please contact Sharon Eli Mercer, Nursing Practice Consultant, at 502-429-3307 or 1-800-305-2042.



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CONTINUING COMPETENCY REQUIREMENTS

by **Mary Stewart**, Continuing Competency Program Coordinator

Earning Periods for All Nurses

Nurses are required to renew their license on a yearly basis. The CE/competency earning period is the same as the licensure period: November 1 through October 31.

KBN audits a randomly selected pool of nurses each year. If audited, failure to provide documentation of having earned the required CE/competency will subject the licensee to disciplinary action in accordance with the *Kentucky Nursing Laws*.

CE Information Concerning Annual Renewal

According to KBN Administrative Regulation 201 KAR 20:215, validation of CE/competency must include one of the following:

1. Proof of earning 14 approved contact hours; OR
2. A national certification or recertification related to the nurse's practice role (in effect during the whole period or initially earned during the period); OR
3. Completion of a nursing research project as principal investigator, coinvestigator, or project director. Must be qualitative or quantitative in nature, utilize research methodology, and include a summary of the findings; OR
4. Publication of a nursing related article; OR
5. A professional nursing education presentation that is developed by the presenter, presented to nurses or other health professionals, and evidenced by a program brochure, course syllabi, or a letter from the offering provider identifying the licensee's participation as the presenter of the offering; OR
6. Participation as a preceptor for at least one nursing student or new employee undergoing orientation (must be for at least 120 hours, have a one-to-one relationship with student or employee, may precept more than one student during the 120 hours, and preceptorship shall be evidenced by written documentation from the educational institution or preceptor's supervisor); OR
7. Proof of earning seven approved contact hours, PLUS a nursing employment evaluation that is satisfactory for continued employment (must be signed by supervisor with the name, address, and phone number of the employer included), and cover at least six months of the earning period.
8. Certain college credit courses may be used to meet CE requirements. Nursing courses, designated by a nursing course number, and courses in physical and social sciences, such as Psychology, Biology, and Sociology, will count toward CE hours. One semester credit hour equals 15 contact hours; one quarter credit hour equals 12 contact hours. If a course does not meet this criterion, refer to the Individual Review of CE Offerings section.

Table 1

National Nursing Organizations Recognized by KBN for Continuing Education

- American Academy of Nurse Practitioners (AANP)
- American Association of Critical Care Nurses (AACN)
- American Association of Nurse Anesthetists (AANA)
- American College of Nurse-Midwives (ACNM)
- American Nurses Credentialing Center (ANCC) of the American Nurses Association (ANA)
- Association of Women's Health, Obstetric & Neonatal Nurses (AWHONN)
- National Association of Nursing Practitioners in Women's Health (NPWH)
- National Association of Pediatric Nurse Practitioners (NAPNAP)
- National Association of Practical Nurses Education & Service (NAPNES)
- National Federation of Licensed Practical Nurses (NFLPN)
- National League for Nursing (NLN)
- State Boards of Nursing

HIV/AIDS CE approved through the Cabinet for Health and Family Services (CHFS) is also accepted.

ATTENTION ARNPS! Update in Approved CE Providers:

Effective March 14, 2008, 201 KAR 20:220 was amended to reflect that pharmacology CE hours earned from a provider that is recognized by an organization from the list in Table 1 will be acceptable to meet the ARNP pharmacology requirement of 201 KAR 20:215. (ARNPs are required to earn five contact hours of approved CE in pharmacology each licensure period).

Simply put, if the CE is accepted by your certifying body (see Table 1) for purposes of recertification, then it will be acceptable to KBN. It is the responsibility of the ARNP to contact the individual certifying body for a complete and up-to-date list of recognized providers for their organization. For questions, contact KBN at 502-429-3300, ext. 237.

NOTE: Prelicensure general education courses, either electives or designated to meet degree requirements, are NOT acceptable, nor are CPR/BLS, in-service education, nor nurse aide training. ACLS or PALS courses ARE acceptable for CE hours if given by an approved provider (see Table 1).

Individual Review of CE Offerings Presented by Organizations NOT Recognized by KBN:

Contact the KBN office or go to the KBN website to obtain an *Individual Review Application* form. After completing the form, return it to the KBN office with requested materials and the \$10 application fee. **Individual Review Applications must be submitted by November 30 of the licensure year.** KBN will notify the individual of the review outcome (approval or rejection) within about six weeks of receipt of the

Additional information about CE/competency is located at <http://kbn.ky.gov/ce.htm> on the KBN website.

submitted materials. A notification of CE/competency approval should be retained for a minimum of five years. Individual review is not required if an offering is approved for CE by an organization recognized by KBN (see Table 1 for a list of these organizations).

Domestic Violence CE

Requirement: Nurses seeking reinstatement, licensure by endorsement from another state, and examination candidates educated outside of Kentucky must earn three contact hours of KBN-approved domestic violence CE within three years of licensure into Kentucky. This is a one-time earning requirement. Do not submit a copy to KBN unless requested to do so. Any approved CE provider may offer the mandatory domestic violence course provided that, as a minimum, the model curriculum approved by the Domestic Violence Training Committee of the Governor's Commission on Domestic Violence is followed.

Sexual Assault CE Requirements:

Sexual Assault Nurse Examiner (SANE) credentialed nurses must earn five contact hours of approved sexual assault CE (forensic medicine or domestic violence CE will meet this requirement). These hours count as part of the CE requirement for the period in which they are earned and must be offered by an approved CE provider (see Table 1).

HIV/AIDS CE Requirements: Two hours of mandatory HIV/AIDS CE must be earned once every ten years. The LPN earning period is from 11/1/2001 – 10/31/2011; RN from 11/1/2002 – 10/31/2012. The HIV/AIDS course must be approved by the Cabinet for Health and Family Services or offered by an approved CE provider (see Table 1). Nurses are required to maintain proof of earning the CE for at least 12 years.

CE Requirements for New

Licensees: All licensees are exempt from the CE/competency requirement for the first renewal period of their Kentucky license issued by examination or endorsement. If an individual does not renew the original license, the exemption for the CE/competency is lost and all CE requirements must be met before the license can be reinstated.

Upcoming Legislative Session

The Kentucky General Assembly will be meeting in its regular session beginning January 6, 2009. The session lasts thirty legislative days and will adjourn on March 30, 2009. This is known as the short session, since it occurs in an odd-numbered year. Short sessions are a little different from the longer sessions, held in even-numbered years.

According to Section 36 of the Kentucky Constitution, the General Assembly convenes on January 6 for the first part of the session for the purpose of electing legislative leaders, adopting rules of procedure, organizing committees, and introducing and considering legislation. It then adjourns and reconvenes for the second part of the session on February 3, 2009. All bills introduced during the first part of the session but not passed will carry over to the second part of the session.

During the session, the legislators will consider many different bills. Health care is an important issue and may come up in one or more bills. It is important for nurses to be aware of what the General Assembly is considering. By going to the Legislative Research Commission's website at <http://lrc.ky.gov> you can follow the progress of all bills. The Legislative Research Commission, also known as the LRC, is the administrative arm of the legislature. From this website, you can also find out who your Senator or Representative is and how to contact him or her to express your opinion on a particular bill.

The General Assembly meets at the Capitol Building in Frankfort. Sessions are open to the public. Contact the LRC's Public Information Office on how to obtain passes to the galleries at (502) 564-8100.

The Board tracks bills affecting nursing. For information from the Board during a session contact Nathan Goldman, General Counsel, at (502) 429-3309.

Expungement Regulation Changed

The administrative regulation on expungement of disciplinary actions, 201 KAR 20:410, has been amended. Disciplinary actions that are eligible to be expunged now include the following:

- (1) Consent Decrees that are at least five years old,
- (2) Agreed Orders or Decisions that are at least ten years old and were a result of failure to obtain CE or AIDS education hours, payment of a fee by a bad check, or practice without a license,
- (3) Agreed Orders or Decisions that are at least ten years old and resulted in a reprimand, provided there has been no subsequent disciplinary action and the terms of the order or decision have been met, and
- (4) Agreed Orders or Decisions that are at least twenty years old, provided that there has been no subsequent disciplinary action and the terms of the order or decision have been met.

When a record is expunged, it is sealed and the proceedings to which it refers shall be deemed to never have occurred. Further, the Board does not report expunged cases to other state boards of nursing.

If you believe that your Agreed Order or Decision qualifies for expungement, send a letter requesting expungement to: Nathan Goldman, General Counsel, Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, KY 40222.

To see a copy of the administrative regulation, go to the Board's web site, <http://kbn.ky.gov> and follow the appropriate links to view the Kentucky administrative regulations. For questions, call Nathan Goldman, General Counsel, at (502) 429-3309.

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DISCIPLINARY Actions

* License has not been returned to KBN

Since the publication of the summer edition of the *KBN Connection*, the Board has taken the following actions related to disciplinary matters as authorized by the *Kentucky Nursing Laws*. A report that contains a more extensive list of disciplinary actions is available on the KBN website at <http://kbn.ky.gov/conprotect/investdiscp/disciplinary.htm>. If you need additional information, contact KBN's Consumer Protection Branch at 502-429-3300.

CEASE AND DESIST NOTICE ISSUED

Robinson, Jimmie	Edmonton, KY	Eff. 10/10/08
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IMMEDIATE TEMPORARY SUSPENSION OF LICENSE/CREDENTIAL

*Bates, Zipporah Kezia	TN RN License #152991 KY RN License #1094282	Tazewell, TN	11/21/2008
*Burchett, Deanna Sue	LPN License #2035513	West Liberty, KY	9/24/2008
*Dunn, Jessie Louise Bailey	LPN License #2035947	Clay City, KY	10/22/2008
*Gillespie, Robert P.	RN License #1051378 ARNP #883-A	Glasgow, KY	11/19/2008
*Gordon, Paula Faye Green	TN LPN License #53550; KY LPN License #2032236	Gleason, TN	9/24/2008
*Halbert, Karen Laureen Murphy	LPN License #2042875	Cincinnati, OH	11/21/2008
*Howard, Willard Clayborne	RN License #1113946	Mt. Olive, KY	11/10/2008
*Jones, Patricia Lynn Hardiman	RN License #1106188	Lexington, KY	10/14/2008
*Lovings, Jamie Gale	RN License #1114232; LPN License #2035508	Louisville, KY	10/29/2008
*McDonald, Tiffany Danielle	LPN License #2040811	Louisville, KY	10/16/2008
*Nunemaker, Larry	RN License #1079624	Stanford, KY	10/29/2008
*Partin, Lori	RN License #1101396	Flatlick, KY	9/30/2008
*Sutton, Laura Ann Heaverin	LPN License #2029591	Louisville, KY	10/16/2008
*Vincent, Cheriee Massey	RN License #1108368	Oakland, KY	10/22/08
*Wilson, Karen Marie Breeden	RN License #1076562	Warsaw, KY	11/10/2008
*Years, Cora Michelle Clark	RN License #1097384	Leitchfield, KY	9/24/2008

LICENSE/CREDENTIAL DENIED

Farquhar-Rodney, Andrea K.	RN Applicant/Examination	Bronx, NY	10/24/2008
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LICENSE IMMEDIATELY SUSPENDED OR DENIED REINSTATEMENT FOR FAILURE TO COMPLY WITH BOARD ORDER; STAYED SUSPENSION IMPLEMENTED OR TERMINATION FROM THE KARE PROGRAM

*Brock, Angelita	RN License #1100746	Richmond, KY	9/25/2008
*Kinslow, Haley Aleece Simmons	LPN License #2039437	Scottsville, KY	9/25/2008
*Langford, Ivana Ana Heist	RN License #1096812	Fort Mitchell, KY	10/29/2008
*Lee, Stacy Jo	RN License #1093602	Owensboro, KY	11/07/2008
*McClurg, Dolores R. Hill	RN License #1074323	Clarkson, KY	9/25/2008
*Miller, Shanna Jane Henson	RN License #1076601	Benton, KY	9/19/2008
*Williams, Loretta Tackett	RN License #1043882	Flemingsburg, KY	10/01/2008
*Wilson, Julie Ann Pombles	LPN License #2026666	Highland Heights, KY	10/02/2008

LICENSE/CREDENTIAL SUSPENDED

Becker, Pamela Renee Schweitzer	LPN License #2029516	Crestwood, KY	10/24/2008
Chapin, Ealey Charlene	LPN License #2038275	Union, KY	10/24/2008
Collins, M. Annette Roberts	LPN License #2028649	Franklin, KY	10/17/2008
Hobgood, Kelley Leigh Wilkins	LPN License #2039713	Central City, KY	10/24/2008
McKinney, Elizabeth Siler	LPN License #2038164	Dayton, OH	10/24/2008
Pataky, Jamie L. Proctor	RN License #1100417	Madisonville, KY	10/24/2008
Robert, Jumanie	RN License #1114358	Orlando, FL	10/24/2008
Ryan, Teri Marguerite	LPN License #2033632	Russellville, KY	10/24/2008

LICENSE/CREDENTIAL CONTINUED ON SUSPENSION

Byrd, Margie Ann Hicks	RN License #1094961	Manchester, KY	10/24/2008
Colvin, Monica D. Lakin	RN License #1069797	Louisa, KY	10/24/2008
Cox, Tammy L. Kessler	RN License #1051179	Campbellsville, KY	11/13/2008

LICENSE/CREDENTIAL CONTINUED ON SUSPENSION (CONT.)

Farmer, Holli Dawn Kirkman	LPN License #2038466	Shepherdsville, KY	10/24/2008
Gilbert, Emma Lianne	LPN License #2039271	Wooton, KY	10/24/2008
Jerecki, Latisha Neal Short	LPN License #2036108	New Albany, IN	10/24/2008
Kniat, Heather Marie Love	LPN License #2041518	Frankfort, KY	10/24/2008
Oakley, Iva Rebecca	RN License #1108637	Tell City, IN	10/24/2008
Thibideau, Rachel R. Wirthwein	LPN License #2036980	Charlestown, IN	10/24/2008
Turner, Cecelia Deloris Jones	LPN License #2036209	North Vernon, IN	10/24/2008

LICENSE/CREDENTIAL DENIED REINSTATEMENT

Adair, Sherri Dale	RN License #1093935	Benton, KY	10/24/2008
Durbin, Jefferi L. Wittenbrink	RN License #1102464	Chester, IL	10/24/2008
Fosson, Heidi G. Houck	RN License #1064453	Grayson, KY	10/24/2008
Fulks, Valerie H. Smith	LPN License #2027724	Crittenden, KY	10/24/2008
Jansen, Robin Elizabeth Stephenson	LPN License #2036887	Villa Hills, KY	10/24/2008
Logan, Ruth Ann Brown	LPN License #2005259	Lexington, KY	10/24/2008
Mimms, Phyllis J. Herndon	LPN License #2038065	Franklin, KY	10/24/2008
Peterson, Kurt Wayne	RN License #1112426	Lawrenceburg, IN	10/24/2008
Vossmeier, Cheryl L. Johns	RN License #1033523	Fort Mitchell, KY	10/24/2008
Wallace, Mary G. Stanley	LPN License #2023411	Canada, KY	10/24/2008

LICENSE/CREDENTIAL VOLUNTARILY SURRENDERED

Adams, Patsy Cook	LPN License #2026278	Louisville, KY	9/30/2008
Cornett, Andrea Leigh Ison	RN License #1091409	Whitesburg, KY	9/30/2008
Cortorreal, Belinda C. Meredith	LPN License #2040691	Cecilia, KY	10/17/2008
Howell, Paula K. Roberts	RN License #1054316	Inez, KY	10/29/2008
Roberts, Jeff	RN License #1101859	Jackson, KY	9/30/2008
Roberts, Sharon M. Cox	LPN License #2026003	Louisville, KY	11/13/2008
Stratton, Brenda M.	LPN License #2024916	Webbville, KY	10/29/2008
Tackett, Kevin Scott	RN License #1096029	Greenville, IN	9/30/2008

LICENSE/CREDENTIAL TO BE REINSTATED - LIMITED/PROBATED

Mantle, Lisa Diane Bogle	RN License #1079569	Fancy Farm, KY	10/24/2008
Meese, Gwendolyn Marie Linton	LPN License #2035548	Latonia, KY	9/30/2008

LICENSE/CREDENTIAL TO BE REINSTATED/ADMIT TO KARE PROGRAM

Cook, Constance Clara Wilson	RN License #1085571	Marion, KY	10/24/08
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LICENSE/CREDENTIAL LIMITED/PROBATED

Lee, Laurie Ann Reeder	LPN License #2031388	Murray, KY	10/29/2008
Nelson, Lynnne Rae Kendrick	RN License #1092107	Georgetown, KY	10/29/2008
Place, Sandra L.	RN License #1100741	Louisville, KY	10/29/2008

LICENSE/CREDENTIAL REPRIMANDED

Ball, Leslie D.	LPN License #2038798	Coal Grove, OH	10/17/2008
Decker, Deanna M. Hawkins	RN License #1067817	Louisville, KY	10/17/2008
Elliott, Donna Jean	RN License #1097625	Burkesville, KY	9/30/2008
Harte, Anna Michelle Layne	RN License #1114588	Ashland, KY	11/13/2008
Macfarlane, Tracy O'Neal Smith	LPN License #2034680	Louisville, KY	10/17/2008
Oneal, Amanda Ann	LPN License #2034681	Louisville, KY	11/13/2008
Wooldridge, Ina Jean Hacker	LPN License #2030068	Oneida, KY	9/30/2008
Workman, Melissa Ann Sexton	RN License #1093923	Ewing, KY	10/17/2008

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